

REMARKS

Claims 28-62 are pending in this application. In the Office Action dated December 7, 2004, the Examiner took the following action: (1) objected to the drawings; (2) objected to the specification; (3) objected to claims 35-36, 45-46, 51, 53, 57 and 59 for informalities; and (4) rejected claims 28-62 for obviousness type double patenting over U.S. Patent Application 09/642,546.

The specification has been objected to as failing to provide proper antecedent basis for the term “auxiliary memory.” Applicants respectfully request reconsideration of this objection. While it is true that the SRAM arrays 80, 84 in Figure 3 are not specifically referred to in the specification as being “auxiliary” memories, it is clear from the context of the claims and the specification that the claimed auxiliary memory is supported by the disclosures of these SRAM arrays 80, 84. That is all that is required by MPEP §608.01(o)m, which specifically states “an applicant is not limited to the nomenclature used in the application as filed.” In this case, the Examiner has not identified any component other than one of the SRAM arrays 80, 84 that could possibly correspond to the claimed auxiliary memory. Furthermore, the dependent claims, such as claim 29, which is dependent on claim 28, further limit the claimed “auxiliary memory” to a “a static random access memory (“SRAM”) device.” Thus, while applicant is claiming the auxiliary memory generically to encompass more than SRAM devices, there can be no doubt the claimed “auxiliary memory” is supported by the specification’s disclosure of the SRAM memory. Furthermore, the term “auxiliary” defined as “giving or capable of giving assistance or support” and “held or used as a reserve” [Webster’s II New Riverside University Dictionary] is entirely consistent with its usage in the claims as it relates to the SRAM arrays 80, 84.

Applicants are hereby amending the specification and claims to which the Examiner has objected so they are now in proper form. New drawings properly marked as “replacement” drawings are also being provided. Finally, applicants are submitting a terminal disclaimer to obviate the double patenting rejection.

All of the claims remaining in the application are now clearly allowable.  
Favorable consideration and a Notice of Allowance are earnestly solicited.

Respectfully submitted,

DORSEY & WHITNEY LLP



Edward W. Bulchis

Registration No. 26,847

Telephone No. (206) 903-8785

EWB:dms

Enclosures:

Postcard

Check

Fee Transmittal Sheet (+copy)

2 Replacement Sheets (Figs. 1-4)

Terminal Disclaimer

DORSEY & WHITNEY LLP  
1420 Fifth Avenue, Suite 3400  
Seattle, Washington 98101-4010  
(206) 903-8800 (telephone)  
(206) 903-8820 (fax)

No Amendments to the Drawings:

Applicants are resubmitting the attached replacement sheets for filing in this application. The replacement sheets have been properly marked as "Replacement Sheet" as required by 37 C.F.R. § 1.84(c)

Attachments: 2 Replacement Sheets